

Applic. No. 10/653,793  
Amdt. dated April 27, 2006  
Reply to Office action of March 3, 2006

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-5, 7, 9, and 10 remain in the application. Claim 1 has been amended. Claims 6 and 11-15 were previously cancelled. Claim 18 is being cancelled herewith.

In the second paragraph on page 2 of the above-identified Office action, claims 1-5 and 7-10 have been rejected as being obvious over Toshiaki (JP 01012018) in view of Nagai (JP 63134061) and Tsukiide et al. (JP 04103819) (hereinafter "Tsukiide") under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 9, lines 10-13 of the specification and in claim 8 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

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Claim 1 calls for, *inter alia*:

forming voids in adjacent metal foils with mutually different dimensions ... and integrating a sensor in rod form into the receptacle without the sensor making contact with the metal foils.

The Toshiaki reference discloses a spirally wound metal carrier catalyzer (20) made up a flat metal plate (21) and a corrugated metal plate (22) having holes (50-52) drilled therein.

The Nagai reference discloses a spirally wound metal honeycomb body having corrugated sheets (31) and flat sheets (33), the sheets have respective through-holes (37 and 39) formed therein. Nagai discloses that the through-holes (37 and 39) are provided for communicating the adjacent exhaust gas passages.

The Tsukiide reference discloses an exhaust gas purification device that is either a wound honeycomb body (1H), a spiral honeycomb body (2H), an involute honeycomb body (3H), or a an S-shaped honeycomb body (4H).

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It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest forming voids in adjacent metal foils with mutually different dimensions ... and integrating a sensor in rod form into the receptacle without the sensor making contact with the metal foils, as recited in claim 1 of the instant application.

The Toshiaki reference discloses a flat plat and a corrugated plate that having holes drilled therein. Toshiaki does not disclose that the holes have mutually different dimensions and that a sensor is integrated without making contact with the metal plates. This is contrary to the invention of the instant application as claimed, which recites forming voids in adjacent metal foils with mutually different dimensions ... and integrating a sensor in rod form into the receptacle without the sensor making contact with the metal foils.

The Nagai reference discloses a honeycomb body having corrugated sheets and flat sheets that are formed with holes therein. Nagai does not disclose that the holes have mutually different dimensions and that a sensor is integrated without making contact with the metal sheets. This is contrary to the

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invention of the instant application as claimed, which recites forming voids in adjacent metal foils with mutually different dimensions ... and integrating a sensor in rod form into the receptacle without the sensor making contact with the metal foils.

Tsukiide discloses a honeycomb body that is either a wound honeycomb body, a spiral honeycomb body, an involute honeycomb body, or a an S-shaped honeycomb body. Tsukiide does not disclose holes in the honeycomb body having mutually different dimensions and that a sensor is integrated without making contact with metal plates. This is contrary to the invention of the instant application as claimed, which recites forming voids in adjacent metal foils with mutually different dimensions ... and integrating a sensor in rod form into the receptacle without the sensor making contact with the metal foils.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is no *prima facie* case of obviousness.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is,

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therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-5, 7, 9, and 10 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Lerner  
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

  
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For Applicant(s)

AKD:cgm

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